

Notice of Allowability

Application No.

10/776,679

Applicant(s)

IACOBUCCI, EMILIO

Examiner

Jimmy T. Nguyen

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 7/19/05.
2. ☒ The allowed claim(s) is/are 4,6-11,13 and 16-18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 7/21/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Paul Greeley on September 27, 2005.

The application has been amended as follows:

In claim 4, last line:

The punctuation mark "." has been changed to --- ; and ---.

In claim 4, after the last line:

The following paragraph has been added:

---- a drawer designed to house waste containers, a fixed part to which the waste compactor is attached, and an outer casing, wherein the fixed part and the drawer are housed in the outer casing. ----

Claim 5 has been canceled.

In claim 6, line 1:

"5" has been changed to --- 4 ---.

In claim 11, line 1:

“5” has been changed to --- 4 ---.

Claim 12 has been canceled.

In claim 13, line 4:

The word “and” has been deleted.

In claim 13, last line:

The punctuation mark “.” has been changed to --- ; ---.

In claim 13, after the last line:

The following paragraphs have been added:

---- two waste containers; and

a drawer, a fixed part, and an outer casing, said outer casing housing said fixed part and said drawer, said drawer supporting said two waste containers for movement with respect to said waste compactor, wherein said waste compactor is attached to said fixed part. ----

Claims 14 and 15 have been canceled.

In claim 16, line 1:

“15” has been changed to --- 13 ---.

In claim 17, line 1:

“15” has been changed to --- 13 ---.

In claim 18, line 1:

“15” has been changed to --- 13 ---.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

Claims 4 and 13 are allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a trolley comprising: *a drawer to house/support a plurality of waste containers*, in combination with the rest of their respective claimed limitations.

The patent Durbin et al. (US 4,719,852) discloses a trolley having a compactor (23) and a chamber (21,24) to house a plurality of containers (22). Durbin does not disclose two telescoping screws and a drawer to house the containers. One skilled in the art would not provide Durbin with a drawer to hold the containers because such modification would prevent one of the containers from dropping down the chute (62) (fig. 9).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

Art Unit: 3725

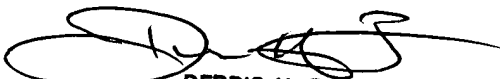
fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy T. Nguyen whose telephone number is (571) 272-4520. The examiner can normally be reached on Mon-Thur 8:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272- 4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JTNguyen
September 27, 2005


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